[21st February 1948

(2) these include lands that did not come up well on account of saline soil, the samudayam lands and lands of disputed ownership that were originally cultivated by persuasion (and occasionally by requisitioning) of the special staff. On the winding up of the special staff in fasli 1356, the ryots slackened their enthusiasm and the old disputes were revived and other difficulties cropped up; and

(3) compact blocks of lands of 50 acres and above in ryotwari villages were not disposed of outright, but let on lease for five years. These lands require a large outlay to bring them under effective cultivation. Some of the lessees who took these lands on lease in fasli 1354, as a result of the efforts of the special staff, were reluctant to spend a material amount on the lease lands in which they had no absolute title.

APPENDIX II.

[Vide item IV (3) on page 85 supra.]

A Bill to make better provision for the suppression of disorder in the Province of Madras.

L.A. BILL No. 5 OF 1948.

(As passed by the Assembly.)

WHEREAS it is expedient to make better provision for the suppression of disorder in the Province of Madras; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Madras Suppression of Disturbances Act, 1947.

(2) It extends to the whole of the Province of Madras.

(3) It shall come into force at once.

Definitions.

2. In this Act, "disturbed area" means an area for the time being declared to be a disturbed area by a notification under section 3.

Power to declare areas to be disturbed areas.

3. The Provincial Government may, by notification in the *Fort St. George Gazette*—

(a) declare that the whole of the Province, or any part thereof specified in the notification, is a disturbed area; and

(b) add to, amend, vary or rescind any such declaration.

Certain offences to be punishable with death in disturbed areas.

4. (1) Whoever in a disturbed area commits any offence punishable under any of the following sections of the Indian Penal Code, namely, 307, 363, 364, 365, 366, 367, 368, 376, 392, 394, 395, 397, 398 and 436, may, in lieu of the punishment to which he is liable under that Code, be punished with death. Central Act XLV of 1860.

21st February 1948]

Central Act XLV of 1860.

(2) Whoever in a disturbed area attempts to commit or abets the commission of, any offence punishable under any section of the Indian Penal Code referred to in sub-section (1) may, notwithstanding anything contained in that Code, be punished with death or with the punishment provided in that section for the offence.

Power to fire upon persons contravening certain orders in disturbed areas.

5. Any Magistrate, and any Police Officer not below the rank of Sub-Inspector, may, if in his opinion it is necessary so to do for restoring or maintaining public order, after giving such warning, if any, as he may consider necessary, fire upon, order fire to be opened, or otherwise use force, even to the causing of death, against, any person who in a disturbed area is acting in contravention of any law or order for the time being in force in such area, prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons.

Protection of persons acting under section 5.

6. No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Provincial Government, against any person in respect of anything done or purporting to be done in exercise of the powers conferred by section 5.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS